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AF/1646  
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Our Ref.: 146.1275

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1800/2900

In re Application of:  
MAKISHIMA et al  
Serial No.: 08/945,459  
Filed: October 20, 1997  
For: NOVEL PROTEIN...THE SAME

: Examiner: D. Romeo  
: Group: 1646  
: 600 Third Avenue  
: New York, NY 10016  
: December 27, 2001

NOTICE OF APPEAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the Final Rejection of the Primary Examiner dated June 28, 2001. All of non-allowed claims are appealed.

The Notice of Appeal Fee of \$320.00

[ ] is enclosed herewith

[ ] is not required (fee paid in prior Appeal)

[ ] is to be charged to Deposit Account No. 02-2275

[X] is to be paid via PTO Form 2038

Should any extensions of time be required to maintain this case in pending condition, appropriate requests therefor are hereby made. Authorization is hereby given to credit any overpayments or debit any charges to Deposit Account No. 02-2275.

Signature (Rule 191 (b))... Chad A. Bierman

Post Office Address (to which correspondence is to be sent):

Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, NY 10016  
Tel. # (212) 661-8000  
Reg. No.: 18,818

Dated: 12-27-01